

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 2862  
Akira NISHIYAMA et al. : Docket No. 2001\_1748A  
Serial No. 09/990,389 : Group Art Unit 1623  
Filed November 23, 2001

PHENOXYPROPYLAMINE COMPOUNDS

DUPPLICATE  
COPY

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents,  
Washington, DC 20231

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of [X] the references listed on attached form PTO-1449 and/or [ ] the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 is enclosed.

1a. [X] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. [ ] This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) [ ] the certification of paragraph 2 below is provided, or

(2)  the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c.  This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

a.  that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b.  that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3.  Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

a.  a full or partial English language translation submitted herewith,

b.  a foreign patent office search report (in the English language) of record,

c.  the concise explanation contained in the specification of the present application at page,

- d.  the concise explanation set forth in the attached English language abstract,
- e.  the concise explanation set forth below or on a separate sheet attached to the reference:

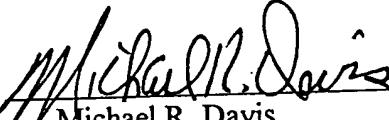
The JP '175 reference corresponds to the EP '133 reference; the JP '877 reference corresponds to the WO '249 reference; the JP '270 reference corresponds to the WO '842 reference; the JP '183 reference corresponds to the US '439 reference; the JP '872 reference corresponds to the EP '331 reference; the JP '361 reference corresponds to the WO '152 reference; the JP '827 reference corresponds to the US '765 reference; the JP '880 reference corresponds to the US '793 reference; the JP '228 reference corresponds to the US '431 reference; the JP '307 and JP '610 references correspond to DE 2,702,919 for which an English abstract is submitted herewith; the JP '538 reference corresponds to US '760 reference.

- 5.  A foreign patent office search report (International Search Report) citing one or more of the references of record.

Respectfully submitted,

Akira NISHIYAMA et al.

By



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February 25, 2002

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| FORM PTO 1449 (modified)<br><b>U.S. DEPARTMENT OF COMMERCE</b><br><b>PATENT AND TRADEMARK OFFICE</b><br><br>LIST OF REFERENCES CITED BY APPLICANT(S)<br><i>(Use several sheets if necessary)</i><br><br>Date Submitted to PTO: February 25, 2002 |    |                 | ATTY DOCKET NO.<br>2001_1748A       |                 | SERIAL NO.<br>09/990,389 |          |                            |
|--|----|-----------------|-------------------------------------|-----------------|--------------------------|----------|----------------------------|
|  |    |                 | APPLICANT<br>Akira NISHIYAMA et al. |                 |                          |          |                            |
|  |    |                 | FILING DATE<br>November 23, 2001    |                 | GROUP<br>1623            |          |                            |
| U.S. PATENT DOCUMENTS  |    |                 |                                     |                 |                          |          |                            |
| *EXAMINER INITIAL  |    | DOCUMENT NUMBER | DATE                                | NAME            | CLASS                    | SUBCLASS | FILING DATE IF APPROPRIATE |
|  | AA | 5,436,337       | 7/1995                              | Abraham et al.  |                          |          |                            |
|  | AB | 4,861,897       | 8/1989                              | Press et al.    |                          |          |                            |
|  | AC | 3,816,131       | 6/1974                              | Kampfer et al.  |                          |          |                            |
|  | AD | 4,670,439       | 6/1987                              | Witte et al.    |                          |          |                            |
|  | AE | 4,191,765       | 3/1980                              | Fritsch et al.  |                          |          |                            |
|  | AF | 3,929,793       | 12/1975                             | Popelak et al.  |                          |          |                            |
|  | AG | 5,500,431       | 3/1996                              | Audia et al.    |                          |          |                            |
|  | AH | 3,810,760       | 5/1974                              | Kampfer et al.  |                          |          |                            |
| FOREIGN PATENT DOCUMENTS   |    |                 |                                     |                 |                          |          |                            |
|  |    | DOCUMENT NUMBER | DATE                                | COUNTRY         | CLASS                    | SUBCLASS | TRANSLATION<br>YES NO      |
|  | AI | 7-17952         | 1/1995                              | JP              |                          |          |                            |
|  | AJ | 11-158175       | 6/1999                              | JP              |                          |          |                            |
|  | AK | 0 905 133       | 3/1999                              | EP              |                          |          |                            |
|  | AL | 9-136877        | 5/1997                              | JP              |                          |          |                            |
|  | AM | 97/00249        | 1/1997                              | WO              |                          |          |                            |
|  | AN | 8-508270        | 9/1993                              | JP              |                          |          |                            |
|  | AO | 94/22842        | 10/1994                             | WO              |                          |          |                            |
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|  | AQ | 61-218582       | 9/1986                              | JP              |                          |          |                            |
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|  | AS | 60-202872       | 10/1985                             | JP              |                          |          |                            |
|  | AT | 0 156 331       | 10/1985                             | EP              |                          |          |                            |
| EXAMINER   |    |                 |                                     | DATE CONSIDERED |                          |          |                            |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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|   |    | DOCUMENT NUMBER   | DATE                                | COUNTRY         | CLASS                    | SUBCLASS | TRANSLATION<br>YES      NO |  |
|   | BA | 80/00152  | 2/1980                              | WO              |                          |          |                            |  |
|   | BB | 53-12827  | 2/1978                              | JP              |                          |          |                            |  |
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|   | BI | 52-90307  | 7/1977                              | JP              |                          |          |                            |  |
|   | BJ | 52-92610  | 8/1977                              | JP              |                          |          |                            |  |
|   | BK | 47-18538  | 9/1972                              | JP              |                          |          |                            |  |
|   | BL | 99/55672  | 11/1999                             | WO              |                          |          |                            |  |
|   | BM | 2000-86603  | 3/2000                              | JP              |                          |          |                            |  |
|   | BN | 00/37464  | 6/2000                              | WO              |                          |          |                            |  |
| OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)      |    |   |                                     |                 |                          |          |                            |  |
|   | BO | Zawadowski, T., et al. "SYNTEZA NOWYCH, AMINOALKANOLOWYCH POCHODNYCH BENZOFURANU O SPÓDZIEWANYM DZIAŁANIU $\beta$ -ADRENOLITYCZNYM", Acta Poloniae Pharmaceutica, vol. 46, no 3 (1989), pages 201-208; with chemical abstract thereof.            |                                     |                 |                          |          |                            |  |
|   | BP | Besenfelder, E. "High Performance Liquid Chromatographic Determination of Picumast and two Active Metabolites in Plasma using On-line Sample Preparation", Biomedical Chromatography, vol. 5 (1997), pages 32-37; with chemical abstract thereof. |                                     |                 |                          |          |                            |  |
|   | BQ | Covello, M., et al. "Nuovi iodorganici di sintesi Iodobenzalidantoina e iodobenzaltoidantoina", Rend. Accad. Sci. Fis. Mat., vol. 35 (1968), pages 156-164; with chemical abstract thereof.   |                                     |                 |                          |          |                            |  |
|   | BR | Meltzer, R.I., et al. "Reaction of 4-Hydroxy-3,5-diiodophenylpyruvic Acid with 3,5-Diiodotyrosine", J. Org. Chem., vol 26 (1961), pages 1977-1979; with chemical abstract thereof.  |                                     |                 |                          |          |                            |  |
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| OTHER DOCUMENT(S) <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>      |    |   |                          |
|  | CA | Katsumi, I., et al. "Studies on Styrene Derivatives. I. Synthesis and Antiinflammatory Activities of $\alpha$ -Benzylidene- $\gamma$ -butyrolactone Derivatives", Chem. Pharm. Bull., vol. 34, no. 1 (1986), pages 121-129.   |                          |
|  | CB | Shiba, T., et al. "Synthesis of Specifically Iodine-131- and Carbon-14-Labeled Thyroxine", J. Org. Chem., vol. 27 (1962), pages 1773-1778; with chemical abstract thereof.  |                          |
|  | CC | Bharathi, K., et al. "Synthesis, Pharmacological Evaluation and QSAR Studies of 4,5-Dihydro-4-[(substituted Phenyl) Methylene]-5-oxo-2-Phenyl/methyl-1H-Imidazole-1-Acetic Acids", Indian Journal of Pharmaceutical Sciences, vol. 61, no. 3 (1999), pages 186-189. |                          |
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